

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2023

COUNCIL BILL NO. CB23-xxxx
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance amending Chapter 59 (Zoning) of the Denver Revised Municipal Code relating to the Temporary Managed Community zoning use.

WHEREAS the City Council has determined on the basis of evidence and testimony presented at the public hearing that the amendment set forth in this ordinance is in conformance with Comprehensive Plan 2040; is reasonably necessary to promote the public health, safety, and general welfare; and will result in uniformity of zone district regulations.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That section 59-2, D.R.M.C. concerning Former Chapter 59 is amended by adding a new paragraph (c)(18) to read as follows:

Sec. 59-2. – Former chapter 59.

(c) No changes shall be enacted to the provisions of the former chapter 59 after June 25, 2010; however, regulation of lands retaining their zoning designation under the former chapter 59 shall incorporate the following requirements of the Denver Zoning Code:

(18) A Temporary Managed Community is allowed as a temporary use by zoning permit in all zone districts in the former chapter 59, subject to all applicable limitations, definitions, and procedures of the Denver Zoning Code regarding a Temporary Managed Community use. The use limitations of Denver Zoning Code section 11.11.17.2 for a Temporary Managed Community in SU, TU, and RH zone districts apply to a Temporary Managed Community use in the following circumstances:

- a. land retaining R-X, R-0, R-1, R-2, R-2-A, or R-2-B zone districts under the former chapter 59;
- b. land retaining R-X, R-0, R-1, R-2, R-2-A, or R-2-B zone districts

under the former chapter 59, and subject to waivers or conditions; or

c. land retaining a planned unit development (PUD) zone district under the former chapter 59 if the PUD's district plan describes the types of uses allowed as those allowed in the R-X, R-0, R-1, R-2, R-2-A, or R-2-B zone districts.

Section 2. Any permittee of a Temporary Tiny Home Village use or Temporary Managed Campsites During COVID-19 Pandemic use permitted prior to the effective date of this ordinance may apply for a new zoning permit for a Temporary Managed Community use on or before December 12, 2023, which will allow the Temporary Managed Community use to (i) remain at its current location and (ii) continue to operate for up to four years from the date the zoning permit for a Temporary Managed Community use is approved.

Section 3. Where a Temporary Tiny Home Village use or Temporary Managed Campsites During COVID-19 Pandemic use was (i) permitted prior to the effective date of this ordinance and (ii) vacated the permitted property prior to the effective date of this ordinance, such use may be permitted at the prior permitted property according to the "duration of zoning permit" standards stated in the Denver Zoning Code, Section 11.11.17.3.A, as amended by this ordinance.

Section 4. This ordinance is effective on June 12, 2023.

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1 COMMITTEE APPROVAL DATE: [to be filled in]

2 MAYOR-COUNCIL DATE: [to be filled in]

3 PASSED BY THE COUNCIL: _____,
4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____,

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____,

10 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: [to be filled in]

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.

15
16 Kerry Tipper, Denver City Attorney

17
18 BY: _____, Assistant City Attorney DATE: _____,